

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

Claim 1 has been amended to borrow from claim 3 the recitation concerning the relative amount of genistein as against the total amount of genistein and genistin. Claim 1 has also been amended to provide antecedent basis for the genistein and genistin.

As amended, claim 1 better reflects the advantage noted by the Examiner and disclosed in Table 3 of page 28. As can be seen in Table 3, the percentage in unfermented soy of genistein with respect to the combined genistein/genistin levels is roughly 5%. The claimed level is substantially higher and reflects the effect noted favorably by the Examiner. Claim 3 likewise includes this favorable genistein level. Therefore, it is respectfully submitted that the claimed subject matter is unobvious over Hoie's use of unfermented soy.

Claim 5 has been amended to add antecedent basis for the fermented soy.

In view of the foregoing, it is respectfully requested that the application, as amended, be allowed.

Respectfully submitted,



Gerard J. McGowan, Jr.
Attorney for Applicant(s)
Reg. No. 29,412

/gjm
(201) 840-2297